



DIOCESE OF MANCHESTER
Secretariat for Administration

March 31, 2015

The Honorable Sharon Carson, Chair
Senate Judiciary Committee
State House, Room 100
Concord, NH 03301

Re: HB 403 (Repealing the Law Relative to Providing Certain Parameters for Access to Reproductive Health Care Facilities)

Dear Senator Carson and Members of the Judiciary Committee:

As the Director of the Office of Public Policy of the Roman Catholic Diocese of Manchester, and on behalf of Bishop Peter Libasci, I write to support HB 403, a bill consistent with recent rulings of the United States Supreme Court and the United States District Court for the District of New Hampshire.

Last year, New Hampshire law created a buffer zone around abortion clinics, only allowing certain individuals to be present within the designated area. The plain language of the bill was intended to silence the speech of those who oppose abortion, even though the First Amendment of the United States Constitution and Part I, Article 22 of the New Hampshire Constitution prohibit our state and federal governments from creating laws that restrict speech based on its content.

The New Hampshire law was based upon a Massachusetts abortion clinic buffer zone law unanimously struck down as unconstitutional by the United States Supreme Court on June 26, 2014 in the case of *McCullen v. Coakley*. Since then, the United States District Court for the District of New Hampshire held in the case of *Sister Mary Rose Reddy v. Foster* that the New Hampshire buffer zone statute is "materially indistinguishable from the Massachusetts statute that the Supreme Court invalidated in *McCullen v. Coakley*."

We urge the committee to report HB 403 as ought to pass because this bill recognizes the basic right of free speech. Thank you for your consideration of our testimony and for your service to the people of the State of New Hampshire.

Sincerely,

Meredith P. Cook, Esq.
Director, Office of Public Policy

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